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MINUTES OF COUNCIL STUDY MEETING – OCTOBER 7, 2008

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THE CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, OCTOBER 7, 2008, AT 4:30 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt
Russ Brooks
Carolynn Burt (Arrived as noted)
Joel Coleman (Arrived as noted)
Corey Rushton
Mike Winder

Paul Isaac, Acting City Manager
Sheri McKendrick, City Recorder

ABSENT:

Steve Vincent

STAFF PRESENT:

Russell Willardson, Public Works Director
Jim Welch, Finance Director
Richard Catten, City Attorney
Buzz Nielsen, Police Chief
Joseph Moore, CED Director
Layne Morris, Community Preservation Director
Kevin Astill, Parks and Recreation Director
Stan Varney, Acting Fire Chief
Steve Lehman, CED Department
Steve Pastorik, CED Department
John Janson, CED Department
Aaron Crim, Administration
Craig Thomas, Administration
Owen Jackson, Administration
Kelly Davis, Community Preservation Department
Jake Arslanian, Public Works Department

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1. **APPROVAL OF MINUTES OF STUDY MEETING HELD SEPTEMBER 16, 2008**
The City Council read and considered the Minutes of the Study Meeting held September 16, 2008. There were no changes, corrections or deletions.

After discussion, Councilmember Brooks moved to approve the Minutes of the Study Meeting held September 16, 2008, as written. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

2. **PRESENTATION, SHERIFF JIM WINDER, PROPOSAL TO REOPEN OXBOW JAIL**

Mayor Nordfelt introduced Sheriff Jim Winder and invited him to discuss information regarding a proposal to reopen the Oxbow Jail.

Councilmember Burt arrived at the meeting at 4:33 P.M.

Sheriff Winder introduced his staff members in attendance at the meeting. He discussed critical overcrowding at the current jail facility. He also discussed information relating to impacts on the jail facility, processing unit, early releases due to lack of beds, effects for municipalities, and the justice courts. He indicated an attempt would be made to reopen the Oxbow facility, which would be at a very high cost. Sheriff Winder discussed other options including maintaining the status quo, bonding for a new facility, and timelines. He reviewed programs that could be implemented at that location. He indicated municipal councils in the Salt Lake Valley were being asked to consider a draft resolution that would give input to the Salt Lake County Council regarding this issue. He further stated it was hoped each community in the County would support the proposal. Sheriff Winder answered questions from members of the City Council regarding the number of beds, staffing, costs to reopen the facility, and funding for on-going operations.

Mayor Nordfelt stated, as a political courtesy, he would like to communicate with Mayor Corroon and the County Council before considering the proposal.

Councilmember Coleman arrived at the meeting at 4:46 P.M.

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3. REVIEW AGENDA FOR REGULAR MEETING SCHEDULED OCTOBER 7, 2008

Acting City Manager, Paul Isaac, stated two items had been added to the Agenda for the Regular Council Meeting scheduled October 7, 2008, and he discussed those items, and others, as follows:

Item No. 10. A. - ORDINANCE NO. 08-48, ADOPT ECONOMIC DEVELOPMENT PROJECT AREA PLAN ENTITLED, "SOUTHWEST ECONOMIC DEVELOPMENT PROJECT AREA PLAN," DATED JULY 1, 2008

Acting City Manager, Paul Isaac, discussed proposed Ordinance No. 08-48 which would adopt the Economic Development Project Area Plan entitled, "Southwest Economic Development Project Area Plan," dated July 1, 2008.

Mr. Isaac stated the Southwest Economic Development Area Plan and Budget was scheduled to be considered and adopted by resolution of the Redevelopment Agency Board after holding a public hearing on October 7, 2008, and was being submitted to the Council for consideration. He also stated the RDA Board and staff had met all legal requirements in the formation of the Southwest Economic Development Area Project.

Acting City Manager, Paul Isaac, further reviewed the proposed Ordinance and answered questions from members of the City Council.

The City Council will consider proposed Ordinance No. 08-48 at the Regular Council Meeting scheduled October 7, 2008, at 6:30 P.M.

Item No. 11. B. – RESOLUTION NO. 08-253, AWARD BID TO ONYX CONSTRUCTION, INC., TO PERFORM CONSTRUCTION OF THE NEW WEST VALLEY CITY ANIMAL SERVICES FACILITY

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-253 which would award a bid to Onyx Construction, Inc. in the amount of \$3,907,000.00 to perform construction of the new West Valley City Animal Services Facility.

Mr. Isaac stated 10 bids had been received regarding the proposed facility, as follows:

Onyx Construction, Inc.:	\$3,907,000.00
Arnell West, Inc.:	\$4,157,852.00
Brubaker Construction, Inc.:	\$4,214,000.00
Hogan & Associates Construction:	\$4,380,000.00
Peck Ormsby Construction, Inc.:	\$4,469,000.00
Comtrol, Inc.:	\$4,472,000.00
Calvin Wadsworth Construction Comp.:	\$4,500,000.00
Valley Design & Construction, Inc.:	\$4,559,000.00

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Entelen Design Build LLC:	\$4,570,000.00
J. Lyne Roberts & Sons	\$5,322,000.00

The Acting City Manager stated Onyx Construction, Inc. had submitted the lowest responsible bid in the amount of \$3,907,000.00.

City Attorney, Richard Catten, further reviewed the proposal and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-253 at the Regular Council Meeting scheduled October 7, 2008, at 6:30 P.M.

Item No. 7. B. – PUBLIC HEARING, APPLICATION NO. GP-2-2008, FILED BY WEST VALLEY CITY AND ORDINANCE NO. 08-47, REQUESTING TO AMEND THE WEST VALLEY CITY GENERAL PLAN TO INCORPORATE WEST VALLEY CITY'S QUALITY GROWTH PRINCIPLES AND OBJECTIVES

Acting City Manager, Paul Isaac, stated a public hearing had been advertised for the Regular Council Meeting scheduled October 7, 2008, at 6:30 P.M. in order for the City Council to hear and consider public comments regarding Application No. GP-2-2008, filed by West Valley City, and proposed Ordinance No. 08-47 requesting to amend the West Valley City General Plan to incorporate West Valley City's Quality Growth Principles and Objectives.

Acting City Manager, Paul Isaac, distributed new written information reflecting changes to exhibits regarding renewable energy, as previously requested by the City Council. Mr. Isaac answered questions from members of the City Council.

The City Council will hold a public hearing regarding Application No. GP-2-2008 and consider proposed Ordinance No. 08-47 at the Regular Council Meeting scheduled October 7, 2008, at 6:30 P.M.

REVIEW REDEVELOPMENT AGENCY AND HOUSING AUTHORITY AGENDAS FOR REGULAR MEETINGS SCHEDULED OCTOBER 7, 2008

Acting City Manager, Paul Isaac, reviewed items on the Agendas for the Redevelopment Agency and Housing Authority meetings scheduled October 7, 2008. Mr. Isaac answered questions from members of the City Council.

Upon inquiry, there were no further questions regarding items scheduled on the above referenced agendas.

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4. COMMUNICATIONS SCHEDULED OCTOBER 14, 2008:

A. INTRODUCTION OF NEW EMPLOYEES

Acting City Manager, Paul Isaac, stated the following new employees would be introduced to the City Council at the Regular Council Meeting scheduled October 14, 2008:

Community Preservation Department:

Brendon Grames, Code Enforcement Officer
David Martinez, Code Enforcement Officer
Wesley B. Wilson, Code Enforcement Officer
Carol Martinez, Grant Technician
Autumn K. Salinas, Shelter Technician

Administration:

Tyson Emmett, Computer Technician

Justice Court:

Walter H. Zinck, Court Clerk
Trista Mutchler, Court Clerk
Karen Tao, Court Clerk

Public Works Department:

Richard J. Thomas, Operator
Dawayne Broadbent, Operator
Ryan A. Ramirez, Engineer Tech II

Law Department:

Sharon Cosgrove, Legal Secretary

Police Department:

Luis E. Perez, Police Officer
John C. Pogue, Police Officer
Michelle Shepherd, Police Officer

Parks and Recreation Department:

Valerie Custer, Program/Activity Service Section

5. AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED OCTOBER 14, 2008:

A. EMPLOYEE OF THE MONTH, AUGUST, 2008 – CHRIS BERRY, FIRE DEPARTMENT

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Acting City Manager, Paul Isaac, stated Councilmember Winder would read the nomination of Chris Berry, Fire Department, as Employee of the Month for August 2008, at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

B. PROCLAMATION DECLARING OCTOBER, 2008, AS NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH IN WEST VALLEY CITY

Acting City Manager, Paul Isaac, stated Mayor Nordfelt would read a Proclamation declaring October 2008, as National Domestic Violence Awareness Month in West Valley City, at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

C. PROCLAMATION DECLARING OCTOBER, 2008, AS NATIONAL CRIME PREVENTION MONTH IN WEST VALLEY CITY

Acting City Manager, Paul Isaac, stated Councilmember Rushton would read a Proclamation declaring October 2008, as National Crime Prevention Month in West Valley City, at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

D. PROCLAMATION DECLARING OCTOBER, 2008, AS NATIONAL CODE COMPLIANCE MONTH IN WEST VALLEY CITY

Acting City Manager, Paul Isaac, stated Councilmember Brooks would read a Proclamation declaring October 2008, as National Code Compliance Month in West Valley City, at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

6. PUBLIC HEARINGS SCHEDULED OCTOBER 14, 2008:

A. APPLICATION NO. S-34-2008, FILED BY MARK GREEN AND PAUL JENSEN, REQUESTING APPROVAL FOR THE AMENDMENT OF LOT 2 IN THE E-CENTER RETAIL SUBDIVISION AND FINAL PLAT APPROVAL FOR THE E- CENTER SUBDIVISION LOT 2 AMENDED LOCATED AT 3100 SOUTH DECKER LAKE DRIVE

Acting City Manager, Paul Isaac, stated a public hearing had been advertised for the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. S-34-2008, filed by Mark Green and Paul Jensen, requesting approval for the Amendment of Lot 2 in the E-Center Retail Subdivision and final plat approval for the E-Center Subdivision Lot 2 Amended located at 3100 South Decker Lake Drive. He discussed proposed Ordinance No. 08-49 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

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ORDINANCE NO. 08-49, APPROVING THE AMENDMENT OF LOT 2 IN THE E-CENTER RETAIL SUBDIVISION

Acting City Manager, Paul Isaac, discussed proposed Ordinance No. 08-49 which would approve the Amendment of Lot 2 in the E-Center Retail Subdivision.

Mr. Isaac stated the E-Center Retail Subdivision had been recorded with the Salt Lake County Recorder's Office in May 2008. He further stated the original subdivision plat consisted of two lots on 14.5 acres. He indicated the proposed application would amend Lot 2 to create Lots 2A-2D. He further stated a flag lot had been proposed to resolve concerns expressed by Granger-Hunter Improvement District.

The Acting City Manager reported the amended plat would provide a means for the applicant to sell each lot to create a small retail and/or commercial center. He stated it was anticipated these lots would accommodate uses to accentuate the hotel, transit oriented development and entertainment uses in this part of the City.

Mr. Isaac indicated access to the subdivision would be gained from both Decker Lake Drive and 3100 South. He further indicated access in and through the various lots would be achieved by interior driveways. As development occurred, cross access easements would need to be recorded preserving these access points. He stated Parcel A, located to the north, would be used for access and parking. He indicated that during the review of the original plat, determination had been made that access through Parcel A was acceptable, but parking would be limited for E-Center overflow.

The Acting City Manager stated in addition to access easements, drainage easements would also exist to accommodate storm water. He stated the developer would need to coordinate these with the City Engineering Division. He indicated a substantial storm drain system had been installed along the west boundary of Lot 2. The applicant would coordinate storm drain needs as future development occurred.

Acting City Manager, Paul Isaac, reported that during the review process for the first phase, a parcel adjacent to Decker Lake Drive had been created. He stated the purpose for that parcel was to help preserve the necessary right-of-way for light rail. He indicated the applicant would negotiate the acquisition of this parcel as light rail development continued to move forward.

Mr. Isaac stated, over the years, extensive fill material had been brought to the subject site. He also stated the developer would need to provide a grading plan for

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each of the future uses. In addition, a soils report would need to be provided for review by the City's Engineering and Building Divisions.

The Acting City Manager further reported as each of the proposed lots developed, additional reviews would be conducted by the Planning Commission. Therefore, it was not necessary the review of the subdivision plat be all-inclusive. He stated the subdivision plat would contain easements and other information applicable to the division of property, but would not address site design issues typically found in commercial developments.

Steve Lehman, CED Department, further reviewed the Application and proposed Ordinance, and displayed the plat map. Mr. Lehman also answered questions from members of the City Council.

The City Council will hold a public hearing regarding Application No. S-24-2008 and consider proposed Ordinance No. 08-49 at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

7. **ORDINANCE NO. 08-50, AMEND SECTION 1-2-103 OF TITLE 1 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING ANIMAL CONTROL DIVISION FEES**

Acting City Manager, Paul Isaac, discussed proposed Ordinance No. 08-50 which would amend Section 1-2-103 of Title 1 of the West Valley City Municipal Code regarding Animal Control Division fees.

Mr. Isaac recommended fees identified be increased to match Taylorsville City fees, as well as bringing into line those same fees charged by other shelters and agencies within Salt Lake County. He stated research indicated the City's fees had not kept pace with surrounding areas and the increase in costs to enforce violators and operate an animal shelter. He indicated amending fees in Section 1-2-103 would bring the City into line with where it should be.

Kelly Davis, Community Preservation Department, further reviewed the proposed Ordinance and answered questions from members of the City Council.

The City Council will consider proposed Ordinance No. 08-50 at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

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8. **ORDINANCE NO. 08-51, AMEND SECTION 23-3-101 OF TITLE 23 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING CAT LICENSING**

Acting City Manager, Paul Isaac, discussed proposed Ordinance No. 08-51 which would amend Section 23-3-101 of Title 23 of the West Valley City Municipal Code regarding cat licensing.

Mr. Isaac stated it had been recommended all cats be licensed for the health and safety of the animal, and holding owners accountable when their animal ends up in the shelter. He also stated this requirement would greatly decrease the high euthanasia rate for cats and would increase the chances of returning the animal to its rightful owner, therefore, making the owner accountable.

The Acting City Manager reported records showed an increase in cats being impounded with a very small redemption rate. Most cats coming into the shelter could be adopted or returned to an owner, however because a cat had no license the owner remained unknown. He indicated if the owner did not search for the animal then it went up for adoption. He indicated with the increase in cats being impounded and limited shelter space, more cats were being euthanized. With the requirement of licensing, just as dogs, the redemption rate would increase and euthanasia would decrease. He stated, also, rabies vaccination was required for all cats in West Valley City. He indicated without regulating the licensing of cats, the City was unable to ensure all cats were vaccinated. He stated requiring licensing for cats would increase the vaccination rate ensuring more cats in the City were vaccinated for rabies, making the animal healthier and the community safer.

Kelly Davis, Community Preservation Department, further reviewed the proposed Ordinance and answered questions from members of the City Council.

The City Council will consider proposed Ordinance No. 08-51 at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

9. **RESOLUTION NO. 08-254, APPROVE A STORM WATER DRAINAGE REIMBURSEMENT AGREEMENT WITH DEAN L. AND BONNIE B. SMITH FOR STORM DRAINAGE IMPROVEMENTS ON PROPERTY LOCATED AT APPROXIMATELY 2602 SOUTH 3200 WEST**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-254 which would approve a Storm Water Drainage Reimbursement Agreement with Dean L. and Bonnie B. Smith for storm drainage improvements at a project known as D & G Scale, on property located at approximately 2602 South 3200 West.

Mr. Isaac stated there was an open channel running along the north boundary of the D & G Scale project. He also stated the channel was a main line on the City's storm drainage

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system. He reported it would be in the best interest of the City to have the ditch piped with the proposed 60-inch reinforced concrete storm drainpipe.

Acting City Manager, Paul Isaac, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-254 at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

10. **RESOLUTION NO. 08-255, AUTHORIZE PURCHASE AND INSTALLATION OF TWO SIDE DUMP BEDS AND SANDERS FROM H&K TRUCK EQUIPMENT/TESCO WILLIAMS FOR USE BY THE OPERATIONS DIVISION OF THE PUBLIC WORKS DEPARTMENT**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-255 which would authorize the purchase and installation of two side dump beds and sanders from H&K Truck Equipment/Tesco Williams, in an amount not to exceed \$60,000.00, for use by the Operations Division of the Public Works Department.

Mr. Isaac stated the proposal would authorize the purchase of two side dump beds and sanders, including installation, on two 2009 Ford F550 trucks. He reported H&K Truck Equipment/Tesco Williams had been selected as the supplier. He indicated the Division currently used similar side dump beds and sanders installed by H&K. He advised the Fleet Manager had met with the Department and determined satisfaction with the make, model and installation of the side dump bed and sander.

Acting City Manager, Paul Isaac, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-255 at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

11. **RESOLUTION NO. 08-256, APPROVE PURCHASE OF TWO 2009 FORD F550 VEHICLES FROM KEN GARFF FORD FOR USE BY THE OPERATIONS DIVISION OF THE PUBLIC WORKS DEPARTMENT**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-256 which would approve the purchase of two 2009 Ford F550 vehicles from Ken Garff Ford, in an amount not to exceed \$60,000.00, for use by the Operations Division of the Public Works Department.

Mr. Isaac stated Ken Garff Ford had been selected as the supplier for two Ford F550 trucks for use by the Operations Division of the Public Works Department. He advised Ken Garff Ford held the State contract to supply the subject vehicles.

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The Acting City Manager reported the vehicles being replaced were both 2001 Ford F550's that had outlived their useful lives and needed to be replaced with new vehicles. He advised the Fleet Manager had met with the Department and determined the 2009 Ford F550 trucks would be the most efficient vehicles for their intended purposes.

Acting City Manager, Paul Isaac, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-256 at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

12. **RESOLUTION NO. 08-257, AUTHORIZE PURCHASE AND INSTALLATION OF ONE SIDE DUMP BED AND SANDER FROM H&K TRUCK EQUIPMENT/TESCO WILLIAMS FOR USE BY THE OPERATIONS DIVISION OF THE PUBLIC WORKS DEPARTMENT**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-257 which would authorize the purchase and installation of one side dump bed and sander from H&K Truck Equipment/Tesco Williams, in an amount not to exceed \$30,000.00, for use by the Operations Division of the Public Works Department.

Mr. Isaac stated the proposal would authorize the purchase of one side dump bed and sander to include installation for a new 2009 Ford F550 truck.

The Acting City Manager reported the Fleet Manager had met with the Department and determined satisfaction with the make, model and installation of the side dump bed and sander.

Acting City Manager, Paul Isaac, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-257 at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

13. **RESOLUTION NO. 08-258, APPROVE AGREEMENT WITH ONYX CONSTRUCTION, INC., FOR THE CONSTRUCTION OF THE NEW WEST VALLEY CITY ANIMAL SERVICES FACILITY**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-258 which would approve an Agreement with Onyx Construction, Inc., in the amount of \$3,907,000.00, for construction of the new West Valley City Animal Services facility.

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Mr. Isaac stated Onyx Construction, Inc., had previously been awarded the lowest responsible bid for the subject work. He reported construction included building the new West Valley City Animal Services facility with office space for the City's Community Preservation Department. He also reported the project involved construction of the new building, which would be constructed under supervision of the City and GSBS Architects.

City Attorney, Richard Catten, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-258 at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

14. **RESOLUTION NO. 08-259, APPROVE AN AGREEMENT WITH SPECIALTY VEHICLE CONCEPTS, INC., FOR INSTALLATION OF NEW EQUIPMENT ON THE POLICE DEPARTMENT'S SPECIALIZED RESPONSE VEHICLE**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-259 which would approve an Agreement with Specialty Vehicle Concepts, Inc., in the amount of \$38,000.00, for installation of new equipment on the Police Department's specialized response vehicle.

Mr. Isaac stated the Police Department's surveillance vehicle was in need of updating, repair, and modernizing of the monitoring and recording equipment. He indicated the Department purchased its surveillance van from a company called Mattman Specialty Vehicles in San Marcos, California in 2001. He further indicated since the van was built, there had been tremendous advances in the cameras and recording devices used in surveillance operations. The analog recording systems were outdated and the camera systems were in need of repair and upgrades. He stated Mattman Specialty Vehicles no longer specialized in small surveillance vehicles, now placing their emphasis on large command posts.

The Acting City Manager reported that in the past West Valley City used EME for work on specialty surveillance vehicles, but EME was no longer in business. He stated the Department had identified Specialty Vehicle Concepts, Inc., located in Murray, Utah, as being qualified to repair and replace the specialized surveillance equipment in the Specialized Response Vehicle. He indicated there were no other local companies that exclusively dealt in specialty surveillance vehicles. He indicated there were companies that equipped police cars with cameras, but those companies did not have experience or specialized knowledge and expertise in conducting the technical and specialized work to the quality standard needed. He stated, furthermore, the hardware installed during repairs to the SRV was proprietary to Specialty Vehicle Concepts, Inc. and as the Department

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updated the surveillance van, it would be important the equipment be able to interface with both vehicles for cases in which both were used.

Mr. Isaac reported the money used for the upgrade would be funds awarded through Federal Asset Forfeiture.

Buzz Nielsen, Police Chief, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-259 at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

15. **RESOLUTION NO. 08-260, APPROVE AN AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH IVORY DEVELOPMENT, LLC, FOR Highbury Place Subdivision Located at approximately 3100 South 5400 West**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-260 which would approve an Amendment to the Development Agreement with Ivory Development, LLC, for Highbury Place Subdivision located at approximately 3100 South 5400 West.

Mr. Isaac stated that in October 2007, the City Council approved Resolution No. 07-213 authorizing a Development Agreement between the City and Ivory Development LLC for Highbury Place Subdivision at approximately 3100 South 5400 West. He also stated the subject agreement set forth development standards to enhance the residential subdivision. He indicated the purpose for the subject resolution was to update the exhibit that illustrated the community gateway icons, neighborhood entry features, and rail markers to be used in Highbury.

The Acting City Manager reported that during the subdivision process, the developer committed to certain development standards. He stated item 9 in Exhibit B of the Development Agreement read: "Community gateway icons, neighborhood entry features and trail markers will be used to accentuate the residential areas of Lake Park. These illustrations are attached as Exhibit D." He indicated copies of the original Exhibit D and the proposed Exhibit D had been included in the Council's information packets.

Mr. Isaac indicated the illustrations shown in the original Exhibit D were preliminary and were intended to show the general scale and massing of the monuments. He stated Zions Securities had since hired an architect to design the monuments shown in the proposed Exhibit D, which included the proposed locations of the monuments. He stated these latest designs had been reviewed and approved by the Planning Commission. He also indicated Zions believed the original concepts had been too "busy" and presented maintenance problems, and the latest designs addressed those issues.

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Steve Pastorik, CED Department, further reviewed the proposed Resolution and answered questions from members of the City Council. Mr. Pastorik stated Ivory had previously brought in models of the proposed monuments for viewing by the Planning Commission and he would inquire if those models could be brought in the following week for the City Council to view.

The City Council discussed various items regarding the above and expressed respective comments and opinions regarding the original proposal and the current proposal.

16. **RESOLUTION NO. 08-261, AUTHORIZING ISSUANCE AND SALE OF UP TO \$8.5 MILLION OF SALES TAX REVENUE BONDS, AUTHORIZING EXECUTION AND DELIVERY OF CERTAIN AGREEMENTS RELATING TO THE BONDS, AND PROVIDING FOR RELATED MATTERS**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-261 which would authorize issuance and sale of up to \$8.5 million of Sales Tax Revenue Bonds, authorize execution and delivery of certain agreements relating to the Bonds, and provide for related matters.

Mr. Isaac stated the subject Bonds were for the purpose of financing the acquisition and construction of an Animal Shelter, a Public Safety Storage Facility, and related facilities, satisfying a debt service reserve requirements, and paying costs of issuance of the Bonds; authorizing the execution and delivery of a Fourth Supplemental Indenture of Trust and a Bond Purchase Agreement; and related matters.

The Acting City Manager indicated the current Animal Shelter was in need of replacement. He stated a new Shelter would also provide office space for the Community Preservation Department. Mr. Isaac further stated the bond would also provide a Public Safety Storage Facility and other related facilities that were needed.

Finance Director, Jim Welch, further reviewed the proposed Resolution and answered questions from members of the City Council. Upon inquiry, Mr. Welch also discussed current financial conditions, the City's recent upgraded bond rating from Standard & Poors, and interest rates.

The City Council will consider proposed Resolution No. 08-261 at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

17. **NEW BUSINESS SCHEDULED OCTOBER 14, 2008:**

A. **APPLICATION NO. S-14-2008, FILED BY CHRIS DRENT, REQUESTING FINAL PLAT APPROVAL FOR SUNSET HILLS SUBDIVISION – PHASE 2 LOCATED AT 7050 WEST 6600 SOUTH**

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Acting City Manager, Paul Isaac, discussed Application No. S-14-2008, filed by Chris Drent, requesting final plat approval for Sunset Hills Subdivision – Phase 2 located at 7050 West 6600 South.

Mr. Isaac stated the applicant had requested approval for the second phase of Sunset Hills Subdivision. He indicated the subject property had been re-zoned in May of 2006, from the 'A-1' zone to the 'R-1-10' zone. He stated the overall project received preliminary approval in August 2006, and Phase 1 had been recorded in early 2008. A development agreement had been reviewed and approved by the Planning Commission and City Council setting forth the development standards to be used in the subdivision.

The Acting City Manager reported the final plat consisted of 108 lots on 32.4 acres, equating to an overall density of 3.2 units per acre. He indicated lots ranged in size from 8,000 square feet to 18,191 square feet, which the average lot size calculated at 9,200 square feet.

Mr. Isaac reported access to the subdivision would be from 6600 South and from Oquirrh Mesa Drive. Additional streets would be platted within this phase to provide access for the remaining phase to the west. All streets within Phase 2 would be dedicated to a 54-foot width to include curb, gutter, sidewalk and asphalt.

Acting City Manager, Paul Isaac, stated various right-of-way widths would be used for the Sunset Hills development. He indicated the developer had dedicated the first portion of 6600 South adjacent to Phase 1 as a 40-foot half width. This right-of-way width would continue westward adjacent to this phase. He indicated Oquirrh Mesa Drive had been dedicated and improved to a 66-foot right-of-way. Oquirrh Mesa Drive would have a 10-foot landscaped park strip on the west side of the street. He indicated the east side would provide a wide landscaped buffer between the courtyard homes and Oquirrh Mesa Drive. He also stated the north side of 6600 South would consist of a five-foot sidewalk and five-foot park strip.

Mr. Isaac indicated this phase of the project was a challenge because of its prior use as a gravel pit. As with Phase 1, staff would recommend the developer coordinate the grading and drainage plan with the Engineering Division. He stated the grading and drainage plan would need to reflect methods of lot grading and retaining, if necessary.

The Acting City Manager reported as part of the preliminary plat a soils report had been submitted. The report stated no ground water had been encountered to a depth of 15 feet, however, the soils report did address fill that had been brought to

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the site. The report indicated this fill should be removed from below proposed buildings, slabs and pavement. The developer would need to coordinate this issue with the City Engineering Division as it related to roadways, etc., and the Building Division as it related to new construction.

Mr. Isaac explained the developer would be responsible to coordinate the availability of all utilities for the subdivision. He stated with regard to water and sewer, Kearns Improvement District had informed staff that water connections were readily available for this development. Sewer easements were located throughout Phase 1 which would extend to the west to accommodate the needs of this phase and the phase to the west.

Paul Isaac, Acting City Manager, reported per the development agreement the developer would install a decorative pre-cast masonry wall along 6600 South and the west side of Oquirrh Mesa Drive. He stated the north side of the subdivision would be fenced with a six-foot vinyl fence. He reported staff would recommend the vinyl fence not be installed until some of the housing was in place and ready for occupancy.

Mr. Isaac indicated the southwest corner of the project would contain a parcel for a future water pump house. The parcel had been provided at the request of Kearns Improvement District. He stated for this phase of the subdivision, the District had stated water service was available from a water tank to the north. However, as the elevation of the next phase would be higher than the service tank, the pump house would need to be installed to provide this service. He indicated the parcel in question would be owned by Kearns Improvement District and be maintained by them as well.

Steve Lehman, CED Department, further reviewed the Application, displayed the plat map, and answered questions from members of the City Council.

The City Council will consider Application No. S-14-2008 at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

B. APPLICATION NO. S-31-2008, FILED BY JACOBSEN CONSTRUCTION, REQUESTING FINAL PLAT APPROVAL FOR UTA-AGC SUBDIVISION LOCATED AT 2200 SOUTH 1070 WEST

Acting City Manager, Paul Isaac, discussed Application No. S-31-2008, filed by Jacobsen Construction, requesting final plat approval for UTA-AGC Subdivision located at 2200 South 1070 West.

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Mr. Isaac stated the UTA-AGC Subdivision had been requested in order to divide the existing property into two commercial building lots. He indicated a remainder parcel would also be created which was located along the north side of Lot 1 and adjacent to 2100 South.

The Acting City Manager indicated both lots would gain access from 1070 West. The street, along with many roads in the Metro Business Park, were private streets. He further indicated that during the evaluation of the application, the Engineering Division recommended portions of the existing curb along 1070 West be replaced. He stated although the right-of-way was private, storm drainage had been impacted from these defective improvements. He indicated although the majority of the curb was in good repair, there were two or three areas that needed to be addressed.

Mr. Isaac reported sidewalk did not exist in this portion of the business park. He stated, however, with the future TRAX line, consideration for this type of improvement should be made. A TRAX stop near 2320 South was only a block away and it was reasonable to assume employees or visitors to that location would use light rail. He stated staff would explore this issue during the site plan review process.

Acting City Manager, Paul Isaac, stated, as mentioned previously, an elongated parcel existed along the north boundary of the subdivision. He indicated at some point in the past the remnant parcel had been landscaped with sod and trees. However, during a recent site visit, staff noticed the lawn had not been watered and was in need of maintenance. He recommended the owner of Parcel A be responsible for that maintenance.

Mr. Isaac reported the lot configurations had been designed to accommodate commercial development. The Associated General Contractors of Utah would construct a building on Lot 1. During prior meetings with the applicant, staff reviewed the conceptual site plan and believed the lot would accommodate the building without any problems. He stated Lot 2 however, would continue to be held by UTA (Utah Transit Authority). A fairly substantial portion of this lot would be impacted by the future TRAX line. He stated staff had provided an illustration of this line in relation to the subdivision plat. He indicated it did appear that sufficient area would exist on Lot 2 for some type of development in the future.

The Acting City Manager further stated a number of mature trees existed along the east property line. He reported staff recommended the developer save as many of those trees as possible. He explained, generally, a tree survey would be

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required, however, in this case, staff recommended the location of these trees be included within the landscaping plan to be reviewed at a later date.

Steve Lehman, CED Department, further reviewed the Application, displayed the plat, and answered questions from members of the City Council.

The City Council will consider Application No. S-31-2008 at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

C. APPLICATION NO. S-32-2008, FILED BY RANDY TOUSLEY, REQUESTING FINAL PLAT APPROVAL FOR TOUSLEY SUBDIVISION LOCATED AT 3244 SOUTH 3600 WEST

Acting City Manager, Paul Isaac, discussed Application No. S-32-2008, filed by Randy Tousley, requesting final plat approval for Tousley Subdivision located at 3244 South 3600 West.

Mr. Isaac stated the applicant had requested final subdivision approval for a four-lot subdivision in an 'RM' zone. He also stated the proposed subdivision included a small portion previously part of Lot 19 in the Melrose Gardens Subdivision located to the west. He indicated the purpose for the subdivision was to create separate lots for the existing duplex units and one for the recently approved sixplex.

The Acting City Manager reported the impetus for the next subdivision was based on requirements of Granger-Hunter Improvement District. He stated the District required the Tousleys create separate lots to accommodate independent water and sewer services.

Mr. Isaac indicated the proposed subdivision consisted of four lots however, only one new building would be constructed as a result of the subdivision. At the present time, the property contained a fiveplex, and two duplex units. In addition, a portion of Lot 19 of the Melrose Gardens Subdivision had been added to the property description based on conditional use requirements regarding open space.

Acting City Manager, Paul Isaac, advised access drive would be 24 feet in width, sufficient in size to provide access to all dwellings including fire protection. The driveway would encumber Lots 2 and 3. However, access easements would be in place to ensure all lots had the same rights to use the drive. In addition, the driveway would be designated as a public utility and access easement to serve all lots in the subdivision.

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Mr. Isaac reported all site issues related to development of the property had been addressed through the conditional use process by the Planning Commission. He stated the applicant continued to work with the Planning and Zoning Division and the Engineering Division to satisfy conditions outlined during the conditional use process.

Steve Lehman, CED Department, further reviewed the Application, displayed the plat, and answered questions from members of the City Council.

The City Council will consider Application No. S-32-2008 at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

18. CONSENT AGENDA SCHEDULED OCTOBER 14, 2008:

A. RESOLUTION NO. 08-262, ACCEPT A SPECIAL WARRANTY DEED FROM COVENTRY III/SATTERFIELD HELM VALLEY FAIR, LLC, FOR PROPERTY LOCATED AT APPROXIMATELY 2510 WEST 3800 SOUTH

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-262 which would accept a Special Warranty Deed from Coventry III/Satterfield Helm Valley Fair, LLC, for property located at approximately 2510 West 3800 South.

Mr. Isaac stated a Special Warranty Deed had been signed by Coventry III/Satterfield Helm Valley Fair, LLC, for dedication of a portion of 3800 South.

The Acting City Manager reported Coventry III/Satterfield Helm Valley Fair, LLC were owners of the Valley Fair Mall, which included property for the Costco Wholesale Warehouse. As a condition of obtaining a building permit, dedication of a portion of 3800 South had been required. He indicated this portion of 3800 South had never been formally dedicated or deeded as public right-of-way. He further reported the Major Street Plan called for an 80-foot total right-of-way, and dedication of the 40-foot half width across the frontage of the Costco site on the north side of 3800 South was being deeded to comply with the Major Street Plan. He advised a previous deed provided for this property and approved by the City Council was missing certain information and had been rejected by the County Recorder's Office.

Acting City Manager, Paul Isaac, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-262 at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

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B. RESOLUTION NO. 08-263, ACCEPT A SPECIAL WARRANTY DEED FROM COVENTRY III/SATTERFIELD HELM VALLEY FAIR, LLC, FOR PROPERTY LOCATED AT 3601 SOUTH 2700 WEST

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-263 which would accept a Special Warranty Deed from Coventry III/Satterfield Helm Valley Fair, LLC, for property located at 3601 South 2700 West.

Mr. Isaac stated the Special Warranty Deed had been signed by Coventry III/Satterfield Helm Valley Fair, LLC.

The Acting City Manager reported Coventry III/Satterfield Helm Valley Fair, LLC were owners of the Valley Fair Mall property. As a condition of approval for obtaining building permits, dedication of a portion of 2700 West had been required. He advised this portion of 2700 West had never been formally dedicated or deeded as public right-of-way. He indicated the existing dedicated right-of-way was a 33-foot half width on the east side and needed to be widened to a 69-foot half width to include all existing and proposed public improvements. He stated dedication of the additional right-of-way across the Mall frontage on 2700 West would be deeded to comply with this requirement.

Acting City Manager, Paul Isaac, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-263 at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

C. RESOLUTION NO. 08-264, ACCEPT A STORM DRAIN EASEMENT FROM COVENTRY III/SATTERFIELD HELM VALLEY FAIR, LLC, ACROSS PROPERTY LOCATED AT 3601 SOUTH CONSTITUTION BOULEVARD (2700 WEST)

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-264 which would accept a Storm Drain Easement from Coventry III/Satterfield Helm Valley Fair, LLC, across property located at 3601 South Constitution Boulevard (2700 West).

Mr. Isaac stated Coventry III/Satterfield Helm Valley Fair, LLC had provided an easement for a public storm drain across the easterly portion of its site.

The Acting City Manager reported an existing City storm drain ran through and along the easterly portion of the Mall property. A Storm Drain Easement in favor of West Valley City had been required as a condition of approval for building permits.

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Acting City Manager, Paul Isaac, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-264 at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

D. RESOLUTION NO. 08-265, ACCEPT A STORM DRAIN EASEMENT FROM MILLER LAKE PARK STATION, L.L.C., FOR PROPERTY LOCATED AT 3025 SOUTH DECKER LAKE DRIVE

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-265 which would accept a Storm Drain Easement from Miller Lake Park Station, L.L.C., for property located at 3025 South Decker Lake Drive.

Mr. Isaac stated the developer of the proposed The Edge at Decker Lake Apartments had provided an easement for a public storm drain across and through a portion of its site.

The Acting City Manager reported an existing City storm drainage ditch ran through the proposed site and, as a condition of approval, portions of the ditch were to be put into culverts. He indicated other portions of the ditch would remain as open channels and incorporated into the site landscaping. He indicated a Storm Drain Easement in favor of the City had been required as a condition of approval for building permits.

Acting City Manager, Paul Isaac, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-265 at the Regular Council Meeting scheduled October 14, 2008, at 6:30 P.M.

19. COMMUNICATIONS:

A. GENERAL PLAN DISCUSSION – TRANSPORTATION

John Janson, CED Department, using PowerPoint, discussed the Transportation chapter of the General Plan, summarized as follows:

- Proposed bike plan and map showing types and locations of paths
- Proposed Major Street Plan and color coded map including transit and bike paths
- Public transit in West Valley City

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Mr. Janson requested input and noted comments and discussion by members of the City Council.

B. COUNCIL UPDATE

Acting City Manager, Paul Isaac, stated the Council had previously received a Memorandum outlining upcoming meetings and events as follows: September 11 thru November 12, 2008: Warp Meets Weft Textile Exhibit, UCCC; October 8, 2008: International Walk to School Day hosted by Valley Crest Elementary, 7:45 A.M. to 8:45 A.M. – Parent/Child Walk to School & Safety Fair at 10:00 A.M.; October 11, 2008: West Valley Walking Tour 2008 – Hunter Village and Sugar Plum Trails, 8:00 A.M.; October 14, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 15, 2008: Lake Park Golf Social, Stonebridge Golf Course, 8:00 A.M.; October 17-18, 2008: Tahitian Fete, UCCC; October 20-31, 2008: Early Voting at City Hall, Multi-Purpose Room, 12 Noon – 7:00 P.M. (October 31, 2008 – 11:00 A.M. – 6:00 P.M.); October 21, 2008: Council Study Meeting, 4:30 P.M. at Fire Station #73, 2834 South 2700 West, Regular Council Meeting, 6:30 P.M.; October 23, 2008: ChamberWest General Membership Meeting and “Meet the Candidates,” E-Center, 11:45 A.M.; October 28, 2008: Council Study Meeting, 4:30 P.M. at UCCC, Regular Council Meeting 6:30 P.M.; November 1, 2008: Utah Folk Arts Celebration and Day of the Dead Fiesta, UCCC; November 4, 2008: General Election, Polls Open 7:00 A.M. – 8:00 P.M.; November 4, 2008: Council Study Meeting, 4:30 P.M. at UCCC, Regular Council Meeting, 6:30 P.M.; November 11, 2008: Veteran’s Day Holiday – City Hall closed; November 18, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 22, 2008: Turkey Trot 5k Run/Walk at Centennial Park; November 22, 2008: Winter Ethnic Arts Market, UCCC; November 25, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 27, 2008: Thanksgiving Holiday – City Hall closed; December 1 thru January 6, 2009: Trees of Diversity Exhibit, UCCC; December 1, 2008: Walk with Santa at Centennial Park, 6:00 P.M.; December 2, 2008: Council Study Meeting, 4:30 P.M.; Regular Council Meeting, 6:30 P.M.; December 8, 2008: Winter Concert, UCCC; December 9, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 16, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; and December 24 & 25, 2008: Christmas Holiday – City Hall closed.

20. COUNCIL REPORTS:

- A. **MAYOR DENNIS NORDFELT – SALT LAKE VALLEY HEALTH DEPARTMENT REGULATION 21; MOUNT CALVARY CHURCH INVITATION; RIBBON CUTTING; ANIMAL SHELTER GROUNDBREAKING; LETTER FROM UTAH HOUSING**

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CORPORATION; TRANSPORTATION PLAN; HISTORIC HOMES AND OPEN SPACE

Mayor Nordfelt distributed written information and discussed the Salt Lake Valley Health Department's Regulation 21 regarding community noise and pollution control. He discussed applicable sections that affected USANA Amphitheater, Utah Cultural Celebration Center (UCCC) and Rocky Mountain Raceway. He indicated they also suggested the City adopt this by ordinance in order to enforce. He requested the City Council review the regulation for future discussion and possible action, if desired.

Mayor Nordfelt discussed a recent meeting with individuals living in a subdivision just outside the City's boundaries and near USANA. He stated both residents of West Valley City and others nearby were negatively impacted by noise from the USANA Amphitheater.

Mayor Nordfelt discussed an invitation to speak at a function at the Mount Calvary Church on November 6, 2008.

Mayor Nordfelt advised regarding a ribbon cutting scheduled October 23, 2008, at 1918 West 4100 South at 4:00 P.M. and which he would be unable to attend. Councilmember Brooks stated he would attend that event.

Mayor Nordfelt advised the groundbreaking ceremony for the new Animal Shelter had been scheduled for October 16, 2008.

Mayor Nordfelt stated he had received a letter from the Utah Housing Corporation regarding financing issues for the Kelly Benson Apartments and he had been unable to respond due to time constraints. He stated the letter was dated September 26th and requested comments due by October 3rd.

Mayor Nordfelt discussed the long-range transportation plan that now included a collector/distributor road on 3500 South near I-215.

Mayor Nordfelt informed regarding a meeting this date relating to old historic homes and open space owned by a family desiring to somehow preserve the open space. He discussed the ideas presented at that meeting. He also stated representatives of the City, County and State would meet with the family to discuss alternatives and ideas that would hopefully benefit all involved. Councilmember Rushton recommended the Historical Society be involved in the project.

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B. COUNCILMEMBER COREY RUSHTON – SKATEBOARDING ISSUES; FRISBEE GOLF COURSE; SERVICE PROJECT TO PLANT TREES

Councilmember Rushton discussed skateboarding issues and distributed written information.

Councilmember Rushton stated he had recently been contacted by a group interested in Frisbee golf courses. He stated that group desired to make a presentation to the City Council so he would provide the contact information to the City Recorder, Sheri McKendrick, for scheduling.

Councilmember Rushton discussed a possible service project for the City Council to plant trees for a resident who had requested assistance from the City. Mayor Nordfelt and Councilmember Winder volunteered to help plant the trees.

C. COUNCILMEMBER JOEL COLEMAN – MONTICELLO ACADEMY CHARTER SCHOOL

Councilmember Coleman reported the Monticello Academy Charter School received approval from the State Board of Education for high school expansion.

D. COUNCILMEMBER CAROLYNN BURT – CEP MEETING

Councilmember Burt reported regarding a recent CEP meeting where results of a survey of sixth grade students had been discussed. She stated only two schools in West Valley City met the No Child Left Behind and 14 met U-PASS requirements. She also distributed information regarding the Lights on After-School Programs.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, OCTOBER 7, 2008, WAS ADJOURNED AT 6:23 P.M., BY MAYOR NORDFELT.

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I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, October 7, 2008.

Sheri McKendrick, MMC
City Recorder

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